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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,	)	<b>2:17-cr-145-KJD-CWH</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
SHONTAZ HUTCHINSON,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION FOR EXTENSION OF TIME**

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Rachel Korenblat, Assistant Federal Public Defender, counsel for Defendant SHONTAZ HUTCHINSON, that the date for the Government to file a response to the Defendant's Motion to Suppress (docket #25) be extended for two weeks.

This stipulation is entered for the following reasons:

1. The Defendant's Motion was filed and served on August 28, 2017. *See* Docket #25. The Government's response deadline is presently November 3, 2017.

1           2.       Since the filing of the Defendant's Motion to Suppress, the parties have  
2 negotiated the case, which will obviate the need for any further pre-trial litigation. The  
3 Government has tendered a plea agreement to counsel for the Defendant. The parties need  
4 additional time to execute the plea agreement and return it to the Court.

5           3.       The Defendant is incarcerated, but he does not object to the continuance of the  
6 Government's response deadline.

7           4.       The additional time requested herein is not sought for purposes of delay, but  
8 merely to allow the parties time to execute a plea agreement, which will obviate the need for this  
9 Court to consider the Defendant's Motion.

10          5.       Additionally, denial of this request for continuance could result in a miscarriage  
11 of justice.

12          6.       This is the third stipulation filed herein to continue the Government's response  
13 deadline.

14               DATED: November 3, 2017.

15  
16               /s/  
17 PHILLIP N. SMITH, JR.  
18 Assistant United States Attorney  
19 Counsel for the United States

                  /s/  
RACHEL KORENBLAT  
Assistant Federal Public Defender  
Counsel for Defendant SHONTAZ HUTCHINSON

1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 \* \* \*

5  
6 UNITED STATES OF AMERICA, ) **2:17-cr-145-KJD-CWH**  
7 )  
8 Plaintiff, )  
9 )  
10 v. )  
11 SHONTAZ HUTCHINSON, )  
12 )  
13 Defendant. )  
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29 **FINDINGS OF FACT**

30 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
31 Court finds that:

32 1. The Defendant's Motion was filed and served on August 28, 2017. *See* Docket  
33 #25. The Government's response deadline is presently November 3, 2017.

34 2. Since the filing of the Defendant's Motion to Suppress, the parties have  
35 negotiated the case, which will obviate the need for any further pre-trial litigation. The  
36 Government has tendered a plea agreement to counsel for the Defendant. The parties need  
37 additional time to execute the plea agreement and return it to the Court.

38 3. The Defendant is incarcerated, but he does not object to the continuance of the  
39 Government's response deadline.

40 4. The additional time requested herein is not sought for purposes of delay, but  
41 merely to allow the parties time to execute a plea agreement, which will obviate the need for this  
42 Court to consider the Defendant's Motion.

43 5. Additionally, denial of this request for continuance could result in a miscarriage  
44 of justice.

6. This is the third stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the Government's response deadline.

## CONCLUSIONS OF LAW

The additional time requested herein is not sought for purposes of delay, but merely to allow the parties time to execute a plea agreement, which will obviate the need for this Court to consider the Defendant's Motion. The failure to grant said continuance would likely result in a miscarriage of justice.

## ORDER

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Suppress is extended until November 17, 2017.

DATED: November 7, 2017

  
UNITED STATES MAGISTRATE JUDGE